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March 11, 2024

Via ECF and E-Mail

Hon. Katherine Polk Failla

Thurgood Marshall

United States Courthouse

40 Foley Square

New York, NY 10007

Failla_NYSDChambers@nysd.uscourts.gov

MEMO ENDORSED

RE: *Sally Ratigan v. Gina Conduit, et al.*
Case No.: 23-CV-5991-KPF

Dear Judge Failla:

We represent Plaintiff, Sally Ratigan, and together with the Defendants' counsel, write this joint letter to request a brief adjournment to the discovery deadline as previously identified in the Court's Civil Case Management Plan and Scheduling Order (ECF Doc. No 36).

By way of background, both Plaintiff and Defendants have exchanged Initial Disclosures, and timely propounded discovery demands, including Request for Production, Request for Admissions, and Interrogatories. Both parties have responded to Requests for Admissions and Interrogatories and have made extensive production in response to the Requests for Production. For example, both parties have disclosed several thousand pages of documents and related discovery. Both parties have retained outside ESI vendors to assist in this process. They continue to produce on a rolling basis. In addition, the parties have also completed a home inspection, scheduled party depositions in March, in addition, to having served over 20 non-party subpoenas to date, the response to which remains outstanding. We expect non-party responses will flow in over the next several weeks, and while we await production, the parties wish to productively use the time and divert their attention and resources to settlement discussions.

As such, we write to request the Court to 1) refer the parties to the District's Mediation Program; 2) allow for a brief adjournment of fact discovery from March 29, 2024, to June 30, 2024, deposition of fact witnesses from March 15, 2024, to July 15, 2024, and deposition of expert discovery from May 31, 2024, to July 31, 2024. We separately wish to advise the Court that the next pre-trial conference scheduled for April 10, 2024, coincides with a religious holiday – *Eid Al-Fitr*, observed by Plaintiff's counsel, and as such, we request a brief adjournment of the

pre-trial conference, and in the alternative, request that the conference be held remotely in the afternoon.

This is the parties' joint request and follows the parties' previous joint request of January 16, 2024, seeking similar relief. Pursuant to Your Honor's Individual Rules of Practice, we attach with this letter a revised Scheduling Order to be So Ordered. We thank the Court for considering this joint application.

Sincerely,

M. Salman Ravala, Esq.

/s/ Salman Ravala

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/s/ Mark D. Wellman

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/s/ Lance Henry

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Design Associates, LLC

Application GRANTED. The discovery deadlines in this case are hereby ADJOURNED in accordance with the parties' revised Case Management Plan and Scheduling Order, which the Court will enter under separate cover.

The Court will further enter an Order referring this case to the Court-annexed Mediation Program under separate cover.

Finally, the next pretrial conference, currently scheduled for **April 10, 2024**, is hereby ADJOURNED *sine die*, pending further order of the Court, which will reschedule such conference if the parties' efforts at mediation are unsuccessful.

The Clerk of Court is directed to terminate the pending motion at docket entry 75.

Dated: March 12, 2024
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE